

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59829 of 2021

Arising Out of PS. Case No.-313 Year-2020 Thana- BAIRIYA District- West Champaran

1. MOHAN MAHTO S/o Jagdeesh Mahto R/o Village Brinda Aashram, P.S. Chanpatiya (Kumarbag), Dist. West Champaran.
2. Asha Devi W/o Jagdeesh Mahto R/o Village Brinda Aashram, P.S. Chanpatiya (Kumarbag), Dist. West Champaran.
3. Muskan Devi W/o Mohan Mahto R/o Village Brinda Aashram, P.S. Chanpatiya (Kumarbag), Dist. West Champaran.
4. Jokhan Raut S/o Ramnath Raut R/o Vill Mainatar, P.S. - Mainatar, Dist. W. Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 13-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 363 and 366(A) of the Indian Penal Code and Section 12 of the POCSO Act, registered in connection with Bairiya P.S.Case No. 313 of 2020.

As per FIR, when the informant went to the house of



the accused persons to know about the whereabouts of his minor daughter, they badly assaulted him.

The learned counsel for the petitioners has submitted that the victim girl has been recovered and in her statement under Section 164 of the Cr.P.C. she did not support the occurrence, rather she has stated that with her own sweet will she went with Ajit Kumar and she solemnized marriage with him. He has submitted further that petitioners are family members of Ajit Kumar and it was the reason for their false implication. He has also submitted that petitioners are persons of clean antecedents.

Considering the above facts and circumstances, let the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of learned A.D.J. 7th-cum-Special Judge, POCSO, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 313 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided



hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey, J)

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